

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re

PARK OVERLOOK LLC,

Debtor.

Chapter 7

Case No. 16-11354-scc

In re

DAWN HOTEL OF NY, LLC,

Debtor.

Chapter 7

Case No. 16-11355-scc

**STIPULATION AND ORDER AMENDING AND MODIFYING THE
STIPULATION AND ORDER BY AND BETWEEN THE TRUSTEE OF DEBTORS PARK
OVERLOOK LLC AND DAWN HOTEL OF NY, LLC AND GORDON H. DUGGINS,
ARMANDO T. DUNN AND THEIR WHOLLY-OWNED CORPORATE ENTITIES
AUTHORIZING THE TRUSTEE TO TAKE ACTIONS NECESSARY TO ALLOCATE
SETTLEMENT PROCEEDS [DOCKET NO. 163]**

Salvatore LaMonica (the “**Trustee**”), trustee for the Chapter 7 estates (the “**Estates**”) of Park Overlook LLC (“**Park Overlook**”) and Dawn Hotel of NY, LLC (“**Dawn**”, and together with Park Overlook, the “**Debtors**”), and Gordon H. Duggins (“**Duggins**”), Armando T. Dunn (“**Dunn**”), Adalex, Inc., Charlestown Properties, LLC, Pacific Place PLLC, Waltham Properties, PLLC, Double D Ventures, Inc., GDSZ, LLC, and Waltham Properties, LLC (the “**Corporate Entities**”, and together with Duggins and Dunn, the “**Duggins-Dunn Entities**”), submit this Stipulation and Order¹, amending and modifying the Stipulation and Order by and between the Trustee of Debtors Park Overlook LLC and Dawn Hotel of NY, LLC and Gordon H. Duggins, Armando T. Dunn and their Wholly-Owned Corporate Entities Authorizing the Trustee to Take Action Necessary to Allocate Settlement Proceeds [Docket No. 163] (the

¹ All capitalized terms not defined herein shall be ascribed the same meanings as the Stipulation and Order by and between the Trustee of Debtors Park Overlook LLC and Dawn Hotel of NY, LLC and Gordon H. Duggins, Armando T. Dunn and their Wholly-Owned Corporate Entities Authorizing the Trustee to Take Action Necessary to Allocate Settlement Proceeds.

“**Estate Distribution Order**”) to correct the amounts held by the Trustee after accounting for disbursements made, as follows:

1. Paragraph L of the Estate Distrubtion Order is amended and modified in its entirety to read as follows:

L. The Trustee currently holds Trustee accounts on behalf of the Debtors, with amounts in the Dawn account of approximately \$146,974.38 and in the Park Overlook accounts of approximately \$420,638.72 (together, the “**Estate Funds**”).

2. Except as amended and modified herein, all terms and provisions of the Estate Distribution Order shall remain in full force and effect.

Dated: Wantagh, New York June 19, 2019	Salvatore LaMonica, <i>Chapter 7 Trustee for the Estates of Park Overlook LLC and Dawn Hotel of NY, LLC</i> <u>s/ Salvatore LaMonica</u> By: Salvatore LaMonica (SL@lhmlawfirm.com) LaMonica, Herbst & Maniscalco LLP 3305 Jerusalem Avenue Wantagh, New York 11793 Tel.: (516) 826-6500/ Fax: (516) 826-0222
Dated: Wantagh, New York June 19, 2019	LAMONICA, HERBST & MANISCALCO LLP <i>Attorneys for Salvatore LaMonica, Chapter 7 Trustee</i> <u>s/ Michael T. Rozea</u> By: Gary F. Herbst (GFH@lhmlawfirm.com) Michael T. Rozea (MTR@lhmlawfirm.com) 3305 Jerusalem Avenue Wantagh, New York 11793 Tel.: (516) 826-6500/ Fax: (516) 826-0222
Dated: New York, New York June 18, 2019	WINDELS MARX LANE & MITTENDORF, LLP <i>Attorneys for Gordon H. Duggins, Armando T. Dunn, Adalex, Inc., Charlestown Properties, LLC, Pacific Place PLLC, Waltham Properties, PLLC, Double D Ventures, Inc., GDSZ, LLC, and Waltham Properties, LLC</i> <u>s/ Alan Nisselson</u> By: Alan Nisselson (anisselson@windelsmarx.com) 156 West 56 th Street

	New York, NY 10019 Tel.: (212) 237-1000/ Fax: (212) 262-1215
Dated: High Point, North Carolina June 18, 2019	Gordon H. Duggins <u>s/ Gordon Duggins</u> By: Gordon H. Duggins 208 Shadow Valley Road High Point, NC 27262
Dated: High Point, North Carolina June 18, 2019	Armando T. Dunn <u>s/ Armando Dunn</u> By: Armando T. Dunn 208 Shadow Valley Road High Point, NC 27262
Dated: Colfax, North Carolina June 18, 2019	Adalex, Inc., Charlestown Properties, LLC, Pacific Place PLLC, Waltham Properties, PLLC, Double D Ventures, Inc., GDSZ, LLC, and Waltham Properties, LLC <u>s/ Gordon Duggins</u> By: Gordon H. Duggins 208 Shadow Valley Road High Point, NC 27262

Dated: _____, 2019
New York, New York

Honorable Shelley C. Chapman
United States Bankruptcy Judge